

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, FACEBOOK, INC.,

Defendants.

Civil Action No. 1:04-cv-11923 (DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

MARK ZUCKERBERG and  
FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**DECLARATION OF JOHN F. HORNICK IN SUPPORT OF  
PLAINTIFF'S MEMORANDUM OF LAW IN COMPLIANCE WITH  
THE COURT'S JUNE 22, 2006 ORDER REGARDING LEGAL ARGUMENTS  
RAISED BY FACEBOOK DEFENDANTS, FILED ON JULY 13, 2006**

I, John F. Hornick, declare as follows:

I am an attorney with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, counsel for Plaintiff ConnectU LLC and Counterdefendants Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra (collectively "ConnectU"). I make this Declaration in support of Plaintiff's Memorandum Of Law In Compliance With The Court's June 22, 2006 Order Regarding Legal Arguments Raised By Facebook Defendants (D.I. 212).

1. I am an active member in good standing of the Bar of the District of Columbia. I have personal knowledge of the facts stated herein and if called as a witness, could and would competently testify thereto.
2. On July 13, 2006, ConnectU filed its Memorandum Of Law In Compliance With The Court's June 22, 2006 Order Regarding Legal Arguments Raised By Facebook Defendants (D.I. 212). At that time, ConnectU, Inc. had filed the Foreign Corporation Certificate of Registration with the Commonwealth of Massachusetts, but it had not yet been approved. See Plaintiff's Memorandum (D.I. 212) at p. 14, para. 3.
3. Attached hereto as Exhibit 10 is a true and correct copy of the Foreign Corporation Certificate of Registration for ConnectU, Inc., as filed with and approved by the Secretary of the Commonwealth of Massachusetts, bearing production nos. C0011581-11585.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed on the 25th day of July 2006.

/s/ John F. Hornick  
John F. Hornick

#### **CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 25, 2006.

/s/ John F. Hornick  
John F. Hornick